

PETTY OFFENSE PC ☐ JUDGE/MAGISTRATE Assigned U.S. vs. **PHILLIPS PETROLEUM COMPANY**
 OTHER MINOR OFFENSE MO ☐ **1085 4 8509**
 OTHER MISDEMEANOR Mis ☐ Disp./Sentence
 FELONY Fel ☒ District Office **7-5-77** (LAST, FIRST, MIDDLE)

**Phillips Bldg.
Bartlesville 74003**

Case Filed
Mo. Day
9 2
No. of Def's
* **4**

76-CR-117 - 1

Yr. Docket No. Def.

U.S. TITLE/SECTION

OFFENSES CHARGED

ORIGINAL COUNTS

18:371

Conspiracy
(\$10,000 and/or 5 years)

I

26:7206(1)

Fraud and false statements
(\$5,000 and/or 3 years, together
with costs of prosecution)

V

VI

VII

II. KEY DATES & INTERVALS

ARREST or	INDICTMENT	ARRAIGNMENT	TRIAL
U.S. Custody Began 9-7-76	High Risk Date 9-2-76	9-13-76	Trial Set For
Summons Served	Information <input type="checkbox"/>	1st Plea 9-13-76	<input checked="" type="checkbox"/> NG <input type="checkbox"/> G <input type="checkbox"/> NOL
First Appearance	Indict. Waived <input type="checkbox"/>	Final Plea	{ G. Plea W/Drawn
	In Charging District	Superseding <input type="checkbox"/> Indict/Info <input type="checkbox"/>	<input type="checkbox"/> NG <input type="checkbox"/> G <input type="checkbox"/> NOL
			Voir Dire <input type="checkbox"/>
			Trial Began <input type="checkbox"/>
			Trial Ended <input type="checkbox"/>

SUPERSEDING COUNTS

U.S. MAG. CASE NO.

BAIL • RELEASE

☐ Denied ☐ AMT ☐ Fugitive
☐ Set ☒ Pers. Recog.

\$ **000** ☐ PSA
 conditions

Date **9-2-76** ☐ 10% Deposit
☐ Surety Bond

☐ Bail Not Made ☐ Collateral

☐ Status Changed (See Docket) ☐ 3rd Prty Cust ☐ Other

SENTENCE

Disposition of Charges

DISMISSED
7-5-77

☐ Convicted ☐ On All Charges
☐ Acquitted ☐ On Lesser * Offense(s)

☒ Dismissed: ☐ WOP: ☐ WP

☐ On Governm'ts Motion

MAGISTRATE		DATE	INITIAL/NO.	OUTCOME
Search Warrant	Issued	10-7-76	L. K. Smith	<input type="checkbox"/> DISMISSED
	Return		Reuben Davis	<input type="checkbox"/> OR OTHER PRO-THIS DISTRICT
Summons	Issued		Boone, Ellison & Smith	<input type="checkbox"/> OR OTHER PRO-DISTRICT BELOW:
	Served		900 World Building	
Arrest Warrant issued			Tulsa, Okla 74103	
COMPLAINT			587-0000	
OFFENSE (In Complaint)				

MAGISTRATE

ANCE DATE

☐ Date
☐ Scheduled
☐ Date Held

☐ NOT WAIVED

3 INDICTMENT

John W. Vardaman, Jr.
1000 Hill Building
Washington, D. C. 2006
(202) 331-5000

5-26-77

U.S. Attorney or Asst.

Jack Cotton **David V. Capes** **Lloyd Minter** **Lawrence Feld**
Thomas M. Atkinson **Edward Fauss** **Gen. Counsel** **Boris Kostelanetz &**
Special Attorney **519 Phillips Bldg.** **John Tighe**
Dept. of Justice **Bartlesville 74003** **80 Pine St., N.Y. N.Y.**
212-422-4030 **10005**

* Show last names and suffix numbers of other defendants on same indictment/information:

Learned (2); Martin (3); Keller (4)

DATE	(DOCUMENT NO.)	PROCEEDINGS	EXCLUDABLE DELAY
9-2-76		Record Vote of Grand Jury, filed in open court. rm	
9-2-76		Indictment, filed in open court. Bond set in amt. of O/R to attorney. (AEB-J)rm	2 9-2-76 M
9-3-76		MO: Case set for arraignment and plea for Monday, 9/13/76 at 11 a.m. Defs. granted 10 days to file motions; govt. 5 days to respond. (AEB-J)rm-notices	
9-3		Summons & notices of arraignment, mld. this date cert. mail. v	
9-13		Case called for arraignment. Deft represented. Govt. represented. Receipt of indict. is acknowledged & NOT GUILTY plea is entered to Cts. 1,5,6 & 7. O/R bond cont'd. Deft. makes oral motion for transcript of grand jury investigation. Ct. gives Govt. 30 days to respond. Parties are directed to report to conf. room for scheduling instructions in filing motions, etc. (AEB-J)b	
9-13		Return of summons, served 9-7-76 on Lloyd Minter for Phillips, filed. -b	2 9-7-76 M 6
9-13-76		Order, filed, granting deft. 60 days to file PT mots. due 11-12-76. Govt. granted 40 days to respond, due 12-22-76. Deft. granted 20 days to reply, due 1-11-77.	

DATE		IV. PROCEEDINGS (continued)		PAGE TWO		V. EXCLUDABLE DELAY			
1976		(DOCUMENT NO.)		Interval Section II (a)	Start Date End Date (b)	Ltr. Code (c)	Total Days (d)		
9-13	Govt. granted 10 days to respond , due 1-21-77.								
9-20	Trial tentatively set for 2-15-77 & PT conf. to be held prior thereto as set by the Court. (AEB-J)k cps mld								
9-30	Reporter's transcript of arraignment & conference proceedings had on 9-13-76, filed. (GRD-CSR)k								
10-7	Deft's motion for inspection and copying of grand jury minutes and brief in support, filed.s Cy to Dene								
11-3	Entry of appearance of L. K. Smith and Reuben Davis attys for Pltff., filed.s								
11-11	Govt's response to defts' motion for inspection and copying of Grand Jury Minutes, filed. lm 1/29/77	3	11-3-76	G					
11-11	Deft. Phillips Petroleum Company's pre-trial motions, filed.s Cy to Dene								
11-11	Memorandum of law in support of deft. Phillips Petroleum Company's Pre-trial motions, filed.s Cy to Dene								
11-11	Motion of defts. Phillips Petroleum Co. and Wm. F. Martin to dismiss, filed.s Cy to Dene								
11-11	Memorandum of points and authorities in support of mot. to dismiss of defts. Phillips Petroleum Co. and Wm. F. Martin, filed.s Cy to Dene								
11-11	Stipulation that to the extent that it is necessary to refer to or quote from the sealed documents and proceedings referred to above in the pre-trial motions to be filed in this case or the responses the portions of the sealed proceedings and documents quoted or referred to in said motions or responses (M-693 and M-695 which were held in camera, transcripts of which are under seal, and the filing of memoranda and affidavits which are under seal) may be unsealed and for that purpose and that purpose alone. This stipulation is without prejudice to the rights or privileges of any part and without prejudice to any positions taken or arguments made during the course of the preliminary proceedings, filed.s (AEB-J) cps. mld.								
11-12	Reply to Govt's response to Deft's motion for Inspection & copying of Grand Jury minutes, filed. b 1/29/77								
11-22	Deft's motion for authority to break seal and transcribe notes of 8-28-75, in camera hearing, filed.s O to J & cy of mot.								
11-23	Order, filed, permitting Larry E. Marks, Ct. Reporter, to break the seal and transcribe notes of in camera hearing on 8-28-75, filed in M-693. US Marshal to deliver notes to Marks and pick up transcript, & return notes to be resealed. (AEB-J)g cps mld.								
12-9-76	USM service of Order re in camera hearing, filed: reporter's notes recd from Clerk on 11-29-76 and delivered								

FINE AND RESTITUTION PAYMENTS

DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER

Yr. | Docket No. | Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
	(Document No.) then to Larry Marks, Ct. Reptr., in Okla. City on 12-1-76; on 12-3-76 Larry Marks returned the notes to USM, and he returned them to Court Clerk on that date. g				
12-13	Government's Suggestions for Voir Dire Examination of Jury, filed. lm				
12-13	Entry of Appearance of David V. Capes as co-counsel for U.S.A., filed. lm				
12-13	MO: The Court grants the 12-2-76 letter request of the U.S. Dept of Justice & permits a copy of the transcript of the 8-28-75 in camera hrg., case no. M-693, w/ statement of costs therefor, to be forwarded to Mr. Thomas M. Atkinson for use of the prosecution in case no. 76-CR-117-B. (AEB-J)k cps mld				
12-15	Deft. Phillips Petroleum Company's proposed examination of prospective jurors, filed.s				
12-22	Govt's Reply & points & Authorities to Pre-trial motions of all defts to dismiss Ct. 1 of Indictment Because prosecution thereon would breach the Agreement reached between Phillips, Keeler & the U.S., filed. b cpy to Dene				
12-22	Govt's Reply to Motions of Defts' to dismiss the Indictment for Abuse of the Grand Jury & Process of the Court, filed. cpy to Dene				
12-22	Govt's R eply & points & Authorities in Response to Pretrial motions of Deft. Phillips Pet., filed. cpy to Dene				
12-23	MO: Case set for PT conf. on 1-5-77 at 10:00 a.m. (AEB-J)k ntc by cert ml				
1-5-77	Case called for pre-trial conference. Deft. represent. Govt. rep. Williams makes statement all defts' have signed affidavit waiving speedy trial, also recommends trial date be passed to later date & hearing on motions be held on 2-15-77. UPon no obj. of parties Ct. orders hearing on motions & evidentiary hearing set on 2-15-77, 10:00 A.M. UPon agreement of parties trial date set on 5-3-77, 9:30 A.M. Parties to meet in conf. room on 1-12-77, at 10:00 A.M. to work on stipulations & rept to Ct. any matters they cannot agree on. Govt. to have prepared Orders re: new tax law reforms & re: harassment. Parties who will may file briefs w/case law as to promises made by spec. prosecutor to Keeler. Motion of Phillips re: wiretapping etc., is overruled as moot, per statement to Ct. by Govt. Co. Atkinson. Parties are furnish Ct. on 1-6-77 w/min. & max. amt. of taxes they feel are due.(AEB-J)b	3	<u>1-5-77</u>	I	
1-5-	Affidavit waiving speedy trial, filed. b				
1-11	Reply memorandum of law in support of deft. Phillips Petroleum Co.'s Pre-Trial motions, filed.s Cy to Dene				
1-11	Reply of Phillips Petroleum Co. and William F. Martin to the Government's opposition to mot. to dismiss Count One, filed.s Cy to Dene				
1-17	Transcript of proceedings had on 1-5-77 (PT conf.), filed. lm				
1-18	Govt's mot. pursuant to 26 U.S.C. 6103 seeking permission to disclose "Return Information" for purposes of Rule 16 F.R.C.R.P. and 18 U.S.C. SEC. 3500, filed.				

DATE '77	USA v. PHILLIPS (Document No.)	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
			(a)	(b)	(c)	(d)
1-18		Order, fld., that the motion to dismiss for defective Indictment is overruled. Further ordered that the motion requesting material secured by electronic surveillance is overruled. Further ordered that the Government turn over to any of the defts. evidence and information contained in their files which may be exculpatory and favorable in nature as to each deft. All other mots. are pending. (AEB-J)v -cps. mld.				
1-24		Govt's Response to Replies of All Defendants in Support of Their Pre-Trial motions, filed. b				
1-24		Appendix I, in support of Govt's response to replies, filed. b				
1-24		Appendix II, in support of Govt's response to replies, filed. b				
1-24		After attorneys conference held, report made to Ct. Defts withdraw motion for Bill of Particulars. Upon agreement of parties, E. B. Williams to prepare Order for release of G.J. test., except that of Gillett. Attys allowed til 2-15-77 to make further report to Ct. on pending matters. (AEB-J)b				
1-24		Order, filed, permitting Government's release of "return information". (AEB-J)b cps mld by <i>attorney</i>				
1-25		Order, fld., that the Govt. shall produce for inspection & copying the transcripts of testimony of all witnesses who appeared before the Grand Jury, w/exception of IRS Spec. Agent, John Gillette. Further ordered that Defts. are allowed to w/drawal their requests for bills of particular. (AEB-J)v -cps. mld.				
1-27		Per Govt's ltr., attachments filed, to be added to Appendix I, Part D of response filed 1-24-77. b <i>copy by Court & parties</i>				
2-14		Govt's Memo. In Response to The Court's Request for a "Brief" concerning the applic. of Santobello v. New York to Alleged Promises made to Phillips & Keeler by the Watergate Special Prosecutor, filed. b cps by Govt.				
2-15		Case called for hearing on motions. Deft's Learned & Keeler present. Deft. co. presents waiver of appearance of Martin. All defts' rep. Govt. rep. Defts' motion to dismiss Indict. for abuse of G.J. process heard. Deft. co. Williams makes arguments. Govt. responds. Govt. presents letter to Ct. for in camera inspection & determination if it's necessary for Defts to have. Williams & McDermott object unless they are furnished copy. Ct. takes ltr under advisement. Parties stipulate to fact IRS agents were allowed to read G.J. minutes. Witnesses recognized back on 2-16-77. Ct. recessed, to reconvene on 2-16-77, at 10:00 A.M. (AEB-J)b				
2-15		Waiver of appearance of William F. Martin, filed. b				
2-16		Hearing continued on motion to dismiss indict. for abuse of G.J. process. Defts' Keeler & Learned present. All defts' represented. Govt. rep. Letter which was presented to Ct. for inspection is ordered sealed by Court & placed in vault. Williams continues w/further arguments & parties stipulate as to meaning of open ended grand jury. Mr. Cotton makes further response. Defts' exhibits 1 thru 8 offered & admitted. Ct. recessed to reconvene on 2-17-77, at 10:00 A.M. (AEB-J)b				
2-16		Defts' exhibits, filed. b				
2-17		Copy of transcript of proceedings had on 2-15-77, filed. (GRD-CSR) b <i>to AS</i>				

DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
2-17	Govt's response to the Court's concern about the "Akright Testimony" with Respect to Defts' Motion to dismiss Ct. 1 for abuse of the Grand Jury, filed. b <i>per 3A</i>				
2-17	Govt's R esponse to Questions posed by T he Court with Respect to Defts' Motion to Dismiss Ct. 1 for Abuse of the Grand Jury, filed. b <i>W/ Court exhibits attached are Defts. 1-5</i>				
2-17	Continued hearing motions. Defts' Keeler & Learned present. All defts' rep. Govt. rep. Hearing held on motion to dismiss Ct. 1 of indict. for breach of agreement not to prosecute. Govt. has not object. to Defts having copy of ltr. of 4-17-75 from Office of Chief Co., IRS, Wash. D.C., but request deletion of 1st sent., 2nd paragraph of Page 8., but request ltr. be kept sealed. Ct. allows. Mr. Williams makes arguments & witness Thomas D. Finney, Jr., sworn & testifies. Cross examination by Mr. Cotton. Examination concluded. Defts' Ex. 9 admitted. Govt's exhibits A-1 thru D-2 admitted. Ct. recessed to conf. room. Defts' given 10 days to respond to Govt's response to Akright Testimony. Ct. grants parties 30 days from 2-18-77 (3-21-77) to file Proposed Findings & Conclusions on both motions, separately. Ct. recessed to reconvene on 2-18-77, at 10:00 A.M. (AEB-J)b				
2-18	Continued hearing on motions. Defts Keeler & Learned present. All defts rep. Govt. rep. Govt. witnesses Roger M. Witten, James Quarles & Thomas F. McBride sworn & testify. Rule invoked. Hearings concluded. Defts' exhibits 10 thru 18 admitted this date. Govt's exhibits 1 thru 5 & D-3 admitted this date. Hrg concluded. (AEB-J)b				
2-18	Parties exhibits, filed. b				
2-18	Ret. sub. served L. Minter on 2-9-77, filed. b				
2-22	Reporter's transcript of proceedings had on 2-15-77 motions hearings. fld (GRD-CSR) ho				
2-22	Reporter's transcript of proceedings had on 2-16-77 motions hearings. fld (GRD-CSR) ho				
2-22	Reporter's transcript of proceedings had on 2-17-77 motions hearings. fld (GRD-CSR) ho				
2-22	Reporter's transcript of proceedings had on 2-18-77 motions hearings. fld (GRD-CSR) ho				
2-22	Order, filed, directing U.S. Marshal to reimburse Thomas F. McBride for round-trip expenses from Wash. D. C. to Tulsa. (AEB-J)g cp to USM				
2-28	Defts' reply to gov't response regarding the "Akright Testimony". fld ho				
2-28	Defts' response to questions posed by the court with respect to mot. to dismiss the indictment for abuse of the grand jury. fld ho				
3-17	Order, filed, sustaining Deft's motion in that Govt. is required to produce for deft's use & inspection that part of testimony of John K. Gillette, II occurring before G.J. 9-2-76, comm. at line 1, Pg. 39 & continuing thru line 4, Pg. 42 of transcript; & at this time overrules motion for any other part. (AEB-J)b cps mld				
3-22	Transcript of Feb. 12, 1976 proceedings before the Grand Jury, filed of record pursuant to the Court's request and not to be made part of the public record. fld. ho				

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
4-5-	MO: It is ordered by the Court that jury trial has been stricken from docket of 5-3-77, to be re-set.(AEB-J)b nts mld				
4-13	Order, filed, that the motion to dismiss the Indictment for abuse of grand jury & process of the Court be & it is hereby deferred for determination at the trial of the general issue.(AEB-J)b cps mld				
4-13	Order, filed, that the motion to dismiss Count 1 for breach of agreement be & it is hereby deferred for determination at the trial of the general issue or until after verdict.(AEB-J)b cps mld				
4-14	MO: Case set for pre-trial conf. on 5-11-77, at 10:00 A.M. (AEB-J)b nts mld				
4-28	Deft's motion for reconsideration of Court Orders of 4-13-77 and brief in support, filed.k cpy to Dene				
5-10	Govts. response to Defts. mot. to reconsider. fld. ho cpy to Dene by Atty.				
5-11	Case called for pre-trial conference. Defts. present & rep. Govt. rep. Williams, speaking for all defts. makes arguments on motion to reconsider motions to dismiss. Cotton makes arguments for Govt. Ct. gives parties until June 1 to furnish extracts from Grand Jury transcript & to exchange extracts. Both parties given until June 10, 1977 to file their interpretations of transcripts. Ct. will make ruling by mid-June. Hearing concluded.(AEB-J)b	3	5-11-77	I	127
5-13	Reporters transcript of proceedings had on May 11, 1977, PT conference. fld. ho				
5-20	Entry of appearance of John W. Vardaman, Jr. for Phillips Petroleum Co. fld. ho				
5-26	Entry of appearance of John W. Vardaman, Jr. for Phillips Petroleum Co., filed. lm				
6-6	Govt. mot. for additional time to file its brief. fld. cpy. & 0 to Dene by atty. ho				
6-6	Govt. mot. pursuant to rule 6(e), F.R.Cr.P., for disclosure of grand jury testimony. cpy. & 0 to Dene by atty. fld. ho				
6-6	Order, filed, granting parties 7 days from 6/10/77 to file briefs requested by Court at PT conference on 5-11-77. (AEB-J)g cp. mld.				
6-6	Order, filed, permitting T. M. Atkinson, atty for Govt. to provide Phillips Petr. Co. a copy of the 9/2/76 proceedings, and to any other party to this action upon request. (AEB-J)g cp mld.				
6-16	Motion of Defts' to place documents under seal & for continuance of protective order, filed. b SEALED BY ORDER OF THE COURT				
6-16	Order, filed.(AEB-J)b SEALED BY ORDER OF THE COURT				
7- 5	Findings of Fact & Conclusions of Law with Respect to Defts' Motion to dismiss Count 1, filed.(AEB-J)b cps mld				
7-5	Order, filed, Sustaining Defts' motion to dismiss Ct. 1 of the Indictment, filed.(AEB-J)b cps mld				
7-5	Findings of Fact & Conclusions of Law with respect to Defts' motion to dismiss Indictment for Abuse of the Grand Jury, filed. (AEB-J)b cps mld				
7-5	Order, filed, Sustaining Defts' motion & dismissing Indictment filed.(AEB-J)b cps mld				

DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
8-3-77	Notice of appeal by govt. from orders of 7/5/77, filed. rm - copies to counsel, ct. reporter, Judge and USCA				
9-1-77	Withdrawal of Appeal, filed. b cp to Circuit				
<u>1983</u> 3-24	EXHIBITS returned to counsel. hm				

[illegible]

PETTY OFFENSE PO ☐ JUDGE/MAGISTRATE: Assigned U.S.
 OTHER MINOR OFFENSE MO ☐ 1085 4 8509
 OTHER MISDEMEANOR Mis ☐ Disp./Sentence
 FELONY Fel ☒ District Office 7-5-77

vs. **LEARNED, Stanley**
 821 S. Johnstone
 Bartlesville 74003
 (LAST, FIRST, MIDDLE)

Case Filed
 Mo. Day
 9 2
 No. of Def's
 * 4

76-CR-117 - 2

Yr. Docket No. Def.

U.S. TITLE/SECTION

OFFENSES CHARGED

ORIGINAL COUNTS

18:371

Conspiracy
 (\$10,000 and/or 5 yrs)

I

U.S. MAG.
CASE NO.

BAIL • RELEASE

Denied ☐ AMT ☐ Fugitive
 Set ☐ ☒ Pers. Recog.

\$ 000 ☐ PSA
 conditions

Date ☐ 10% Deposit
 9-2-76 ☐ Surety Bond

☐ Bail Not Made ☐ Collateral
☐ Status Changed (See Docket) ☐ 3rd Prty Cust ☐ Other

II. KEY DATES & INTERVALS

SUPERSEDING
COUNTS

ARREST or	INDICTMENT	ARRAIGNMENT	TRIAL
U.S. Custody Began	Information <input type="checkbox"/>	1st Plea	Trial Set For
High Risk Date	9-2-76	9-13-76	Voir Dire <input type="checkbox"/>
Summons Served	Indict. Waived <input type="checkbox"/>	9-13-76	Trial Began <input type="checkbox"/>
9-6-77	In Charging District	Final Plea	Trial Ended <input type="checkbox"/>
First Appearance	Superseding <input type="checkbox"/> Indict/Info <input type="checkbox"/>		

SENTENCE

Disposition of Charges
DISMISSED
 7-5-77

☐ Convicted ☐ On All Charges
☐ Acquitted ☐ On Lesser *
☒ Dismissed: ☐ WOP: ☐ WP
☐ On Govern'ts Motion

MAGISTRATE		DATE	INITIAL/NO.	INITIAL APPEARANCE DATE	INITIAL/NO.	OUTCOME:
Search Warrant	Issued			PRELIMINARY EXAMINATION		<input type="checkbox"/> DISMISSED
	Return			OR		<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT
Summons	Issued			REMOVAL HEARING		<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW:
	Served			<input type="checkbox"/> WAIVED <input type="checkbox"/> NOT WAIVED	Tape Number	
Arrest Warrant Issued				<input type="checkbox"/> INTERVENING INDICTMENT		
COMPLAINT						
OFFENSE (In Complaint)						

U.S. Attorney or Asst.
Jack Cotton David V. Capes
Thomas M. Atkinson
 Special Attorney
 Dept. of Justice

ATTORNEYS

Defense: ☒ CJAX ☐ Ret: ☐ Waived, ☐ Self, ☐ None / Other: ☐ PD, ☐ CD

John M. Imel & Don Moyers
 NBT Bldg.
 Tulsa 74103(582-5281)

* Show last names and suffix numbers of other defendants on same indictment/information:

Phillips Pet. (1); Martin (3); Keller (4).

DATE	(DOCUMENT NO.)	PROCEEDINGS	EXCLUDABLE DELAY (a) (b) (c) (d)
9-2-76		Record vote of grand jury, filed in open court. rm	
9-2-76		Indictment, filed in open court. Court sets OR bond to attorney. (AEB-J)rm	
9-3-76		MO: Case set for arraignment and plea for Monday, 9/13/76 at 11 a.m. Defs. granted 10 days to file motions; govt. 5 days to respond.(AEB-J)rm-notices	
9-3		Summons & notices of arraignment, mld. this date cert. mail. v	
9-13		Acknowledgment of receipt of summons, filed.s rec'd 9-6-76	
9-13		Case called for arraignment. Deft. present & represented. Govt. represented. Deft. acknowledge receipt of indict; is advised of charge, is arraigned & enters plea of NOT GUILTY. O/R bond cont'd. Deft. allowed to travel w/no limitations, but is required to be present for all hrs., unless written statement is filed w/Ct. waiving appearance. Deft. makes oral motion for transcript of grand jury invest. Govt. given 30 days to respond. Parties are directed to report to conf. room for schedule to follow in filing motions, etc.(AEB-J)b	

continued

For Identifying Periods of Excludable Delay Per 18 U.S.C. 3161(h)

- A. Examination or hearing for mental or physical incapacity (18 U.S.C. 424d).
- B. NARA Examination (28 U.S.C. 2902).
- C. State or Federal trials on other charges.
- D. Interlocutory Appeals.
- E. Hearings on pretrial motions.
- F. Transfers from other districts (per F.R.Cr.P. Rules 20, 21 & 40).
- G. Defendant Motion is actually under advisement. Period of up to 30 days is excludable per 3161(h) (1) (G).
- H. Miscellaneous Proceedings: Probation or Parole revocation, Deportation, Extradition.
- I. Prosecution deferred by mutual agreement.
- M. Unavailability of defendant or essential witness.
- N. Period of mental or physical incompetence of defendant to stand trial.
- O. Period of NARA Commitment or Treatment.
- P. Superseding indictment and/or new charges.
- R. Defendant awaiting trial of Co-defendant when no severance has been granted.
- T. Continuances Granted per 3161(h) (B) (i.e. ends of justice or complexity of case outweighs defendants' interests).
- U. Time between guilty plea and plea withdrawal.
- W. Grand Jury indictment extended per 3161(h).

DATE 1976	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
12-22	Govt's Reply & Points & Authorities to Pretrial motions of all Defts to Dismiss Ct. 1 of Indictment because Prosecution thereon would breach the agreement reached Between Phillips, Keeler & USA, filed. b cpy to Dene				
12-22	Govt's Reply to Motions of Defts' to dismiss the Indictment for Abuse of the Grand Jury & process of the Court, filed. b cpy to Dene				
12-22	Response to Pre-trial motions by Deft. Learned, filed. b cpy to Dene				
12-23	MO: Case set for PT conf. on 1-5-77 at 10:00 a.m.				
	(AEB-J)k ntc by cert ml				
1-5 -77	Case called for pre-trial conf. Deft. present & rep. Govt. rep. Williams makes statement all defts' have signed affidavit waiving speedy trial. Upon recommendation of Williams & no objs. made Ct. sets hearing on motions & evidentiary hrg. on 2-15-77, 10:00 A.M. Trial date set on 5-3-77, at 9:30 A.M. Parties to meet in conf. room 1-12-77, at 10:00 to work on stipulations & report to Ct. any matters they cannot agree on. Govt. to have prepared Orders re: new tax law reform & re: harassment. Parties who may may file briefs w/case law as to promises made by spec. pros. to Keeler. Ct. Clk. Jack Silver is placed under oath & testifies as to Grand Jury's return of Indict. & authorization of Govt. co. Atkinson to sign Indict. Ct. overrules motion for dismissal of Indict. Parties to furnish Ct. w/ min. & Max. amt. of taxes they feel are due. Hrg. concluded. (AEB-J)b				
1-5	Affidavit waiving speedy trial, filed. b				
1-11	Reply of deft. Stanley Learned to Government's response to Pre-Trial motions, filed. s Cy to Dene				
1-18	Order, fld., that the mot. to dismiss for defective Indictment is overruled. Further ordered that the mot. requesting material secured by electronic surveillance is overruled. Further ordered that the Government turn over to any of the defts. evidence and info. contained in their files which may be exculpatory and favorable in nature as to each deft. All other mots. are pending. (AEB-J)v -cps. mld.				
1-24	Govt's response to replies of all defts. in support of their Pre-Trial motions, filed. s				
1-24	Appendix I, in support of Govt's response to replies filed. s				
1-24	Appendix II, in support of Govt's response to replies, filed. s				
1-24	After attorneys conference held, report made to Ct. Defts' w/draw motion for Bill of Particulars. UPon agreement of parties E. B. Williams to prepare Order for release of G.J. test., except that of Gillett. Attys allowed til 2-15-77 to make further report to Ct. on pending matters. (AEB-J)b				
1-24	Order, filed, permitting Government's release of "return information." (AEB-J)b cps by Govt.				
1-25	Order, fld., that Govt. shall produce for inspect. & copying the transcripts of witnesses who appeared before the Grand Jury, w/ exception of IRS Spec. Agent John Gillette. Further ordered that Defts. are allowed to w/drawal their requests for bills of particular. (AEB-J)v -cps. mld.				

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
	(Document No.)				
1-27	Per Govt's ltr, attachments filed, to be added to Appendix I, Part D of response filed 1-24-77. b				
2-14	Govt's Memo. In Response to The Court's Request for a "Brief" concerning the application of Santobello v. New York to alleged promises made to Phillips & Keeler by the Watergate Special Prosecutor, filed. b Cps by Govt.				
2-15	Case called for hearing on motions. Deft's Learned & Keeler present. Deft. co. presents waiver of appearance of Martin. All defts' rep. Govt. rep. Deft's motion to dismiss indict. for abuse of G.J. process heard. Deft. co. Williams makes arguments. Govt. responds. Govt. presents letter to Ct. for in camera inspection & determination if it's necessary for Defts to have Williams & McDermott object unless they are furnished copy. Ct. takes ltr under advisement. Parties stipulate to fact IRS agents were allowed to read G.J. minutes. Witnesses recognized back on 2-16-77. Ct. recessed, to reconvene on 2-16-77, at 10:00 A.M. (AEB-J)b				
2-15	Waiver of appearance of Wm. F. Martin, filed. b				
2-16	Hearing continued on motion to dismiss indict. for abuse of G.J. process. Defts' Keeler & Learned present. All defts' represented. Govt. rep. Letter which was presented to Ct. for inspection is ordered sealed by Court & placed in vault. Williams continues w/further arguments & parties stipulate as to meaning of open ended grand jury. Mr. Cotton makes further response. Defts' exhibits 1 thru 8 offered & admitted. Ct. recessed to reconvene on 2-17-77, at 10:00 A.M. (AEB-J)b				
2-16	Defts' exhibits, filed. b				
2-17	Copy of transcript of proceedings had on 2-15-77, filed. (GRD-CSR) b				
2-17	Govt's response to the Court's concern about the Akright Testimony with Respect to Defts' motion to dismiss Ct. 1 ^{per JA} for Abuse of the Grand Jury, filed. b				
2-17	Govt's Response to Questions posed by The Court with Respect to Defts' Motion to Dismiss Ct. 1 ^{per JA} for Abuse of the Grand Jury, filed. b				
2-17	Continued hearing on motions. Defts' Keeler & learned present. All defts' rep. Govt. rep. Hearing held on motion to dismiss Ct. 1 of indict. for breach of agreement not to prosecute. Govt. has no object. to Defts having copy of ltr. of 4-17-75 from Office of Chief Co., IRS, Wash. D.C., but request deletion of 1st sent., 2nd para. of pg. 8., but request ltr be kept sealed. Ct. allows. Mr. Williams makes arguments & witness Thomas D. Finney, Jr., sworn & testified. Cross examination by Mr. Cotton. Examin. concluded. Defts' Ex. 9 admitted. Govt's exhibits A-1 thru D-2 admitted. Ct. recessed to conf. room. Defts' given 10 days to respond to Govt's response to Akright Testimony. Ct. grants parties 30 days from 2-18-77 (2-31-77) to file proposed Findings & Conclusions on both motions, separately. Ct. recessed to reconvene on 2-18-77, at 10:00 A.M. (AEB-J)b				
2-18	Continued hearing on motions. Defts Keeler & Learned present. All defts rep. Govt. rep. Govt. witnesses Roger M. Witten, James Quarles & Thomas F. McBride sworn & testify. Rule invoked. Hearings concluded. Defts' exhibits 10 thru 18 admitted this date. Govt's exhibits 1 thru 5 & D-3 admitted this date. Hrg concluded. (AEB-J)b				

DATE 1977	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
2-22-77	Reporter's transcript of proceedings had on 2-15-77 motions hearings. fld (GRD-CSR) ho				
2-22	Reporter's transcript of proceedings had on 2-16-77 motions hearings. fld (GRD-CSR) ho				
2-22	Reporter's transcript of proceedings had on 2-17-77 motions hearings. fld (GRD-CSR) ho				
2-22	Reporter's transcript of proceedings had on 2-18-77 motions hearings. fld (GRD-CSR) ho				
2-28	Deft's reply to Gov't response regarding the "Akright Testimony". fld ho				
2-28	Deft's response to questions posed by the ct with respect to mot to dismiss the indictment for abuse of the grand jury. fld ho				
3-17	Order, filed, sustaining deft's motion in that Govt. is required to produce for Deft's use & inspection that part of testimony of John K. Gillette, II occurring before G.J. 9-2-76, comm. at line 1, Pg. 39 & continuing thru 14, Pg. 42 of transcript; & at this time overrules motion for any part. (AEB-J)b cps mld				
3-22	Transcript of Feb. 12, 1976 proceedings before the Grand Jury, filed of record pursuant to the Court's request and not to be made part of the public record. fld. ho				
4-5	MO: It is ordered by the Court that jury trial has been stricken from docket of 5-3-77, to be re-set. (AEB-J)b nts mld				
4-13	Order, filed, that the motion to dismiss the Indictment for abuse of grand jury & process of the Court be & it is hereby deferred for determination at the trial of the general issue. (AEB-J)b cps mld				
4-13	Order, filed, that the motion to dismiss Count 1 for breach of agreement be & it is hereby deferred for determination at the trial of the general issue or until after verdict. (AEB-J)b cps mld				
4-14	MO: Case set for pre-trial conf. on 5-11-77, at 10:00 A.M. (AEB-J)b nts mld				
4-28	Deft's motion for reconsideration of Court Orders of 4-13-77 and brief in support, filed. k cpy to Dene				
5-10	Govt. response to Defts. mot. to reconsider. fld. ho cpy to Dene by Atty.				
5-11	Case called for pre-trial conference. Defts present & rep. Govt. rep. Williams, speaking for all defts. makes arguments on motion to reconsider motions to dismiss. Cotton makes arguments for Govt. Ct. gives parties until June 1, to furnish extracts from Grand Jury transcript & to exchange extracts. Both parties given until June 10, 1977 to file their interpretations of transcripts. Ct. will make ruling by mid-June. Hearing concluded. (AEB-J)b				
5-13	Reporters transcript of proceedings had on 5-11-77 PT conference. fld. ho				
6-6	Govt. mot. for additional time to file its brief. fld. cpy. & 0 to Dene by atty. ho				
6-6	Govt. mot. pursuant to rule 6(e), F.R.Cr.P., for disclosure of grand jury testimony. cpy. & 0 to Dene. by atty. fld. ho				

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
6-6	(Document No.) Order, filed, granting parties 7 days from 6/10/77 to file briefs requested by Ct. at PT conf. on 5/11/77. (AEB-J)g cp mld.				
6-6	Order, filed, permitting T. M. Atkinson, atty for Govt. to provide Phillips Petr. Co. a cpy of the 9/2/76 proceedings, and to any other party to this action upon request. (AEB-J)g cp mld.				
6-16	Motion of Defts' to place documents under seal & for continuance of protective order, filed.b SEALED BY ORDER OF THE COURT				
6-16	Order, filed.(AEB-J)b SEALED BY ORDER OF THE COURT				
7-5	Findings of Fact & Conclusions of Law with RESpect to Defts' motion to dismiss Ct. 1 of Indictment, filed.(aEB-J)b cps mld				
7-5	Order, filed, Sustaining Defts' motion & Dismissing Ct. 1 of the Indictment, filed.(AEB-J)b cps mld				
7-5	Findings of Fact & Conclusions of Law with respect to Defts' motion to dismiss Indictment for Abuse of the Grand Jury, filed.(AEB-J)b cps mld				
7-5	Order, filed, Sustaining Defts' motion & dismissing Indictment, filed.(AEB-J)b cps mld				
8-3	Notice of appeal by govt. from orders of 7/5/77,filed rm - copies to counsel, ct. reporter, USCA & Judge				
9-1	Withdrawal of Appeal, filed. b cp to Circuit				

PETTY OFFENSE PO ☐ JUDGE/MAGISTRATE: Assigned
 OTHER MINOR OFFENSE MO ☐ 1085/4 8509
 OTHER MISDEMEANOR Mis ☐ Disp./Sentence
 FELONY Fel ☒ District Office 7-5-77

U.S. MARTIN, William F.
 vs. 615 E. 16th Pl.
 Bartlesville 74003
 (LAST, FIRST, MIDDLE)

Case Filed
 Mo. Day
 9 2
 No. of Def's
 * 4

Barrow

76-CR-117 - 3

Yr. Docket No. Def.

U.S. TITLE/SECTION

OFFENSES CHARGED

ORIGINAL COUNTS

18:371

Conspiracy

I

26:7206(2)

(\$10,000 and/or 5 years)
 Fraud and false statements
 (\$5,000 and/or 3 years, together
 with costs of prosecution)

II

III

IV

U.S. MAG.
CASE NO.

BAIL • RELEASE

Denied

AMT

☐ Fugitive

Set

☒ Pers. Recog.☐ PSA

Date
 9-2-76

conditions

☐ 10% Deposit☐ Surety Bond☐ Bail Not Made☐ Collateral☐ Status Changed
(See Docket)☐ 3rd
Pty Cust Other

II. KEY DATES & INTERVALS

SUPERSEDING
COUNTS

ARREST or

INDICTMENT ☒

ARRAIGNMENT

TRIAL

U.S. Custody Began

High Risk Date

Information ☐

9-2-76

9-13-76

Trial Set For

Voir Dire ☐

Summons Served

9-7-76

Indict. Waived ☐

1st Plea

9-13-76

☒ NG ☐ G ☐ NOLTrial Began ☐

First Appearance

In Charging
DistrictSuperseding
☐ Indict/Info ☐

Final Plea

{ G. Plea
W/DrawnTrial Ended ☐☐ NG ☐ G ☐ NOL

SENTENCE

Disposition
of Charges

DISMISSED

7-5-77

☐ Convicted☐ Acquitted☒ Dismissed:☐ On All Charges
☐ On Lesser *
Offense(s)☐ WOP: ☐ WP☐ On Governm'ts Motion

MAGISTRATE

Search Warrant	Issued	DATE	INITIAL/NO.	INITIAL APPEARANCE DATE	INITIAL/NO.	OUTCOME:
	Return			PRELIMINARY EXAMINATION		<input type="checkbox"/> DISMISSED
Summons	Issued			OR		<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT
	Served			<input type="checkbox"/> REMOVAL HEARING		<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW
Arrest Warrant Issued				<input type="checkbox"/> WAIVED <input type="checkbox"/> NOT WAIVED	Tape Number	
COMPLAINT				<input type="checkbox"/> INTERVENING INDICTMENT		
OFFENSE (In Complaint)						

U.S. Attorney or Assistant
 Jack Cotton David V. Capes
 Thomas M. Atkinson
 Special Attorney
 Dept. of Justice
 8-739-5397

ATTORNEYS

Defense: ☐ CJA ☒ Ret: ☐ Waived ☐ Self ☐ None / Other: ☐ PD ☐ CD

Edward J. Fauss

519 Frank Phillips Bldg.

Bartlesville-74003

John Vardaman,
 Edward B. Williams
 839 17th St., N.W. (1000 Hill
 Washington, D.C. Bldg.
 202-331-5000 20006

* Show last names and suffix numbers of other defendants on same indictment/information.

Phillips Pet. (1); Learned (2); Keller (4)

DATE	(DOCUMENT NO.)	PROCEEDINGS	EXCLUDABLE DELAY (a) (b) (c) (d)
9-2-76		Record vote of grand jury, filed in open court rm	
9-2-76		Indictment, filed in open court. Court sets OR to attorney rm	
9-3-76		MO: Case set for arraignment and plea for Monday, 9/13/76 at 11 a.m. Def. granted 10 days to file motions; govt. 5 days to respond. (AEB-J)rm-notices	
9-3		Summons & notices of arraignment, mld. this date cert. mail. v	
9-13		Case called for arraignment. Deft. present & represented. Govt. represented. Deft. acknowledges receipt of indict; is advised of charge, is arraigned & enters plea of NOT GUILTY to Cts. 1,2,3 & 4. O/R bond cont'd. Deft. allowed to travel w/no limitations, but is required to be present for all hrs, unless written statement is filed w/Ct. waiving appearance. Deft. makes oral motion for transcript of grand jury invest. Govt. given 30 days to respond. Parties are directed to report to conf. room for scheduling to follow in filings of motions, etc. (AEB-J) b	

continued

DATE		IV. PROCEEDINGS (continued)		PAGE TWO		V. EXCLUDABLE DELAY				For Identifying Periods of Excludable Delay Per 18 U.S.C. 3161(h)
1976		(DOCUMENT NO.)				Interval Section II (a)	Start Date End Date (b)	Ltr. Code (c)	Total Days (d)	
9-13		Order, filed, granting deft. 60 days, or until 11-12-76, to file PT mots. Govt. granted 40 days, or til 12-22-76 to respond. Deft. granted 20 days, or til 1-11-77, to reply. Govt. granted 10 days, or until 1-21-77 to respond. Trial set tentatively for 2-15-77, and there shall be a pt conf. prior thereto as set by the Court. (AEB-J)k cps mld								A. Examination or hearing for mental or physical incapacity (18 U.S.C. 4244).
9-20		Reporter's transcript of arraignment & conference proceedings had on 9-13-76, filed. (GRD-CSR)k								B. NARA Examination (28 U.S.C. 2902).
9-30		Deft's motion for inspection and copying of grand jury minutes with brief in support attached, filed.s								C. State or Federal trials on other charges.
9-30		Govt's response to defts' motion for inspection and copying Grand Jury Minutes, filed. lm <i>copy to Dene</i>								D. Interlocutory Appeals.
11-11		Deft. William F. Martin's mot. for additional time to make such motions as may be appropriate as a result of pre-trial motions in this case, filed.s Cy to Dene.								E. Hearings on pretrial motions.
11-11		Deft. Wm. F. Martin's request for discovery, filed.s Cy to Dene								F. Transfers from other districts (per F.R.Cr.P. Rules 20, 21 & 40).
11-11		Deft. Wm. F. Martin's memorandum in support of request for discovery, filed.s Cy to Dene								G. Defendant Motion is actually under advisement. Period of up to 30 days is excludable per 3161(h) (1) (G).
11-11		Deft. Wm. F. Martin's mot. for bill of particulars, filed.s Cy to Dene								H. Miscellaneous Proceedings: Probation or Parole revocation, Deportation, Extradition.
11-11		Deft. Wm. F. Martin's memorandum in support of mot. for bill of particulars, filed.s Cy to Dene								I. Prosecution deferred by mutual agreement.
11-11		Mot. of defts Phillips Petroleum Co. and Wm. F. Martin to dismiss, filed.s Cy to Dene								M. Unavailability of defendant or essential witness.
11-11		Memorandum of points and authorities in support of Defts Phillips Petroleum Co. and Wm. F. Martin mot. to dismiss, filed.s Cy to Dene								N. Period of mental or physical incompetence of defendant to stand trial.
11-11		Deft. Wm. F. Martin's mot. to dismiss the indictment for abuse of the Grand Jury and the process of the Court, filed.s Cy to Dene								O. Period of NARA Commitment or Treatment.
11-11		Memorandum of Deft. Martin in support of motion to dismiss the indictment for abuse of the Grand Jury process, filed.s Cy to Dene								P. Superseding indictment and/or new charges.
11-11		Stipulation, filed, that to the extent that it is necessary to refer to or quote from the sealed documents and proceedings referred to above (M-693 and M-695 -hich were held <u>in camera</u> , transcripts of which are under seal, and the filing of memoranda and affidavits which are under seal) in the pre-trial motions to be filed in this case or the responses, the portions of the sealed proceedings and documents quoted or referred to in said motions or responses may be unsealed and for that purpose alone. This stipulation is without prejudice to the rights or privileges of any part and without prejudice to any positions taken or arguments made								R. Defendant awaiting trial of Co-defendant when no severance has been granted.
FINE AND RESTITUTION PAYMENTS										
DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER					

For Identifying Periods of Excludable Delay Per 18 U.S.C. 3161(h)

A. Examination or hearing for mental or physical incapacity (18 U.S.C. 4244).

B. NARA Examination (28 U.S.C. 2902).

C. State or Federal trials on other charges.

D. Interlocutory Appeals.

E. Hearings on pretrial motions.

F. Transfers from other districts (per F.R.Cr.P. Rules 20, 21 & 40).

G. Defendant Motion is actually under advisement. Period of up to 30 days is excludable per 3161(h) (1) (G).

H. Miscellaneous Proceedings: Probation or Parole revocation, Deportation, Extradition.

I. Prosecution deferred by mutual agreement.

M. Unavailability of defendant or essential witness.

N. Period of mental or physical incompetence of defendant to stand trial.

O. Period of NARA Commitment or Treatment.

P. Superseding indictment and/or new charges.

R. Defendant awaiting trial of Co-defendant when no severance has been granted.

T. Continuances Granted per 3161(h) (8) (i.e. ends of justice or complexity of case outweighs defendants' interests).

U. Time between guilty plea and plea withdrawal.

W. Grand Jury indictment extended per 3161 (b).

DATE 1976	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
11-11	(Continued) during the course of the preliminary proceedings. (AEB-J) cps. mld.				
11-12	Reply to Govt's response to Deft's motion for Inspection & copying of Grand Jury minutes, filed. b				
12-13	Govt's suggestions for voir dire examination of Jury, filed. 1m				
12-13	Entry of appearance of David V. Capes as co-counsel for U.S.A., filed. 1m				
12-13	MO: The Court grants the 12-2-76 letter request of the US Dept of Justice & permits a copy of the transcript of the 8-28-75 in camera hrg., case # M-693, w/ statement of costs therefor, to be forwarded to Mr. Thomas M. Atkinson for use of the prosecution in case no. 76-CR-117-B. (AEB-J)k cps mld				
12-14	Proposed voir dire questions submitted by William F. Martin, filed. 1m				
12-22	Govt's Reply & Points & Authorities to Pre-trial motions of all Defts to Dismiss Ct. 1 of Indictment because prosecuion thereon would breach the agreement reached between Phillips, Keeler & USA., filed. b cpy to Dene				
12-22	Govt's reply to motions of Defts to dismiss the Indictment for Abuse of the Grand Jury & Process of the Court, filed. b cpy to Dene				
12-22	Govt's response & points & Authorities in Reply to Separate motions by Deft. Martin, for a Bill of Particulars & Discovery, filed. b copy to Dene				
12-23	MO: Case set for PT conference on 1-5-77 at 10:00 am. (AEB-J)k ntc by cert ml				
1-5-77	Case called for pre-trial conf. Deft. present & rep. Govt. rep. Williams makes statement all defts' have signed affidavit waiving speedy trial. Upon recommendation of Williams & no objs. made Ct. sets hearing on motions & evidentiary hrg on 2-15-77, at 10:00 A.M. Trial date set on 5-3-77, at 9:30 A.M. Parties to meet in conf. room on 1-12-77, at 10:00 A.M. to work on stipulations & report to Ct. any matters that cannot not be agreed on. Govt. to have prepared Orders re: new tax law reforms & re: harrassment. Parties who may file briefs w/case law as to promises made by Spec. pros. to Keeler. Parties to furnish Ct. w/min. & max. amt. of taxes they feel are due. Hrg. concluded. (AEB -J)b				
1-5	Affidavit waiving speedy trial, filed. b				
1-11	Reply of Phillips Petroleum Co. and William F. Martin to the Government's opposition to mot. to dismiss Count One, filed. s Cy to Dene				
1-11	Deft. Martin's reply memorandum on his mot. to dismiss the indictment for Grand Jury abuse, filed. s Cy to Dene				
1-18	Order, fld., that the mot. to dismiss for defective Indictment is overruled. Further ordered that the mot. requesting material secured by electronic surveillance is overruled. Further ordered that the Govt. turn over to any of the defts. evidence and information contained in their files which may be exculpatory and favorable to them. All other mots. are pending. (AEB-J)v -cps. mld				

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

DATE 1977	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1-24	Govt's response to replies of all defts. in support of their Pre-Trial motions, filed.s				
1-24	Appendix I, in support of Govt's response to replies, filed.s				
1-24	Appendix II, in support of Govt's response to replies, filed.s				
1-24	After attorneys conference held, report made to Ct. Defts' w/draw motion for Bill of Particulars. Upon agreement of parties E.B.Williams to prepare Order for release of G. J. test., except that of Gillett. Attys allowed til 2-15-77 to make further report to Ct. on pending matters.(AEB-J)b				
1-24	Order, filed, permitting Government's release of "return information."(AEB-J)b cps by Govt.				
1-25	Order, fld., that Govt. shall produce for inspect. & copying the transcripts of witnesses who appeared before the Grand Jury, w/ exception of IRS Spec. Agent John Gillette. Further ordered that Defts. are allowed to w/drawal their requests for bills of particular. (AEB-J)v -cps. mld.				
1-27	Per Govt's ltr. attachments filed, to be added to Appendix I, Part D of response filed 1-24-77. b				
2-14	Govt's memo. in Response to the Court's Request for a "Brief" concerning the Applic. of Santobello v. New York to alleged promises made to Phillips & Keeler by the Watergate Special Prosecutor, filed. b cps by Govt.				
2-15	Case called for hearing on motions. Defts' Learned & keeler pres. Deft . co. presents waiver of appearance of Martin. All defts' rep. Govt. rep. Deft's motion to dismiss indict. for abuse of G.J. process heard. Deft. co. Williams makes arguments. Govt. responds. Govt. presents letter to Ct. for incamera inspection & determination if it's necessary for Defts to have. Williams & McDermott object unless they are furnished copy. Ct. takes ltr under advisement. Parties stipulate to fact IRS agents were allowed to read G.J. minutes. Witnesses recognized back on 2-16-77. Ct. recessed, to reconvene on 2-16-77, at 10:00 A.M. (AEB-J)b				
2-15	Waiver of appearance of Wm. F. Martin, filed. b				
2-16	Hearing continued on motion to dismiss indict. for abuse of G.J. process. Defts' Keeler & Learned present. All defts' represented. Govt. rep. Letter which was presented to Ct. for inspection is ordered sealed by Court & placed in vault. Williams continues w/further arguments & parties stipulate as to meaning of open ended grand jury. Mr. Cotton makes further response. Deft's exhibits 1 thru 8 offered & addmitted. Ct. recessed to reconvene on 2-17-77, at 10:00 A.M. (AEB-J)b				
2-16	Defts exhibits, filed. b				
2-17	Copy of transcript of proceedings had on 2-15-77, filed. (GRD-CSR) b				
2-17	Govt's response to the Court's concern about the "Akright Testimony" with Respect to Defts' Motion to dismiss Ct. 1 ^{per TA} for abuse of the Grand Jury, filed. b				
2-17	Govt's Response to Questions posed by The Court with Respect to Defts' Motion to dismiss Ct. 1 ^{per TA} for Abuse of the Grand Jury, filed. b				

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs
WILLIAM F. MARTIN

76-CR-117

Yr. | Docket No. | Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
	(Document No.)				
2-17	Continued hearing on motions. Defts' Keeler & learned pres. All defts' rep. Govt. rep. Hearing held on motion to dismiss Ct. 1. of indict. for breach of agreement not to prosecute. Govt. has no object. to defts having copy of ltr of 4-17-75 from Office of Chief Co., IRS, Wash.D.C., but request deletion of 1st sent. 2nd para. of Pg. 8, but request ltr be kept sealed. Ct. allows. Mr. Williams makes arguments & witness Thomas D. Finney, Jr., sworn & testifies. Cross examination by Mr. Cotton. Examin. concluded. Defts' Ex. 9 admitted. Govt's exhibits A-1 thru D-2 admitted. Ct. recessed to conf. room. Defts given 10 days to respond to Govt's response to Akright Testimony. Ct. grants parties 30 days from 2-18-77 (3-21-77) to file Proposed Findings & Conclusions on both motions, separately. Ct. recessed to reconvene on 2-18-77, at 10:00 A.M. (AEB-J)b				
2-18	Continued hearing on motions. Defts Keeler & Learned present. All defts rep. Govt. rep. Govt. witnesses Roger M. Witten, James Quarles & Thomas F. McBride sworn & testify. Rule invoked. Hearings concluded. Defts' exhibits 10 thru 18 admitted. Govt exhibits 1 thru 5 & D-3 admitted. (AEB-J)b				
2-18	Exhibits, filed. b				
2-22	Reporter's transcript of proceedings had on 2-15-77 motions hearings. fld (GRD-CSR) ho				
2-22	Reporter's transcript of proceedings had on 2-16-77 motions hearings. fld (GRD-CSR) ho				
2-22	Reporter's transcript of proceedings had on 2-17-77 motions hearings. fld (GRD-CSR) ho				
2-22	Reporter's transcript of proceedings had on 2-18-77 motions hearings. fld (GRD-CSR) ho				
2-28	Deft's reply to Gov't response regarding the "Akright Testimony". fld ho				
2-28	Deft's response to questions posed by the ct with respect to mot to dismiss the indictment for abuse of the grand jury. fld ho				
3-17	Order, filed, sustaining Deft's motion in that Govt. is required to produce for deft's use & inspection that part of testimony of John K. Gillette, II occurring before G.J. 9-2-76, comm. at line 1, Pg. 39 & continuing thru line 4, Pg 42 of transcript; & at this time overrules motion for any other part. (AEB-J)b cps mld				
3-22	Transcript of Feb. 12, 1976 proceedings before the Grand Jury, filed of record pursuant to the Court's request and not to be made part of the public record. fld. ho				
4-5	MO: It is ordered by the Court that jury trial is stricken from docket of 5-3-77, to be reset. (AEB-J)B nts mld				
4-13	Waiver of Speedy Trial Rights. fld. ho				
4-13	Order, filed, that the motion to dismiss the Indictment for abuse of grand jury & process of the Court be & it is hereby deferred for determination at the trial of the general issue. (AEB-J)b cps mld				
4-13	Order, filed, that the motion to dismiss Count 1 for breach of agreement be & it is hereby deferred for determination at the trial of the general issue or until after verdict. (AEB-J)b cps mld				

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

DATE 1977	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
4-14	MO: Case set for pre-trial conf. on 5-11-77, at 10:00 A.M. (AEB-J)b nts mld				
4-28	Deft's motion for reconsideration of Court Orders of 4-13-77 and brief in support, filed.k cpy to Dene				
5-10	Govt. response to Defts. mot. to reconsider. fld. ho cpy to Dene by Atty.				
5-11	Case called for pre-trial conference. Defts. present & rep. Govt. rep. Williams, speaking for all defts. makes arguments on motion to reconsider motions to dismiss. Cotton makes arguments for Govt. Ct. gives parties until June 1 to furnish extracts from Grand Jury transcript & to exchange extracts. Borth parties given until June 10, 1977 to file their interpretations of transcripts. Ct. will make ruling by mid-June. Hearing concluded. (AEB-J)b				
5-13	Reporters transcript of proceedings had on 5-11-77, PT conference. fld. ho				
6-6	Govt. mot. for additional time to file its brief. fld. cpy. & 0 to Dene by atty. ho				
6-6	Govt. mot. pursuant to rule 6(e), F.R.Cr.P., for disclosure of grand jury testimony. cpy. & 0 to Dene by atty. fld. ho				
6-6	Order, filed, permitting T. M. Atkinson, atty for Govt. to provide Phillips Petr. Co. a cpy of the 9/2/76 proceedings, and to any other party to this action upon request. (AEB-J)g cp mld.				
6-6	Order, filed, granting parties 7 days from 6/10/77 to file briefs requested by Court at PT conf. on 5-11-77. (AEB-J)g cp mld.				
6-16	Motion of Defts' to place documents under seal & for continuance of Protective order, filed.b SEALED BY ORDER OF THE COURT				
6-16	Order, filed. (AEB-J)b SEALED BY ORDER OF THE COURT				
7-5	Findings Of Fact & Conclusions of Law in Respect to Defts' motion to dismiss Ct. 1 of Indictment, filed. (AEB-J)b cps mld				
7-5	Order, filed, sustaining Defts' motion & Dismissing Ct. 1 of the Indictment, filed. (AEB-J)b cps mld				
7-5	Findings of Fact & Conclusions of law in respect to Defts' motion to dismiss Indictment for Abuse of the Grand Jury, filed. (AEB-J)b cps mld				
7-5	Order, filed, Sustaining Defts' motion & dismissing Indictment, filed. (AEB-J)b cps mld				
8-3	Notice of appeal by govt. from orders of 7/5/77, filed. rm - copies to counsel, Judge, ct. reporter & USCA				
9-1-77	Withdrawal of Appeal, filed. b cp to Circuit				

PETTY OFFENSE PO ☐ JUDGE/MAGISTRATE: Assigned U.S.
 OTHER MINOR OFFENSE MO ☐ 1085/4 8509 vs.
 OTHER MISDEMEANOR Mis ☐ Disp./Sentence
 FELONY Fel ☒ District Office 7-5-77 (LAST, FIRST, MIDDLE)

KEELER, William W.
 1118 S. Dewey
 Bartlesville 74003

Case Filed
 Mo. Day
 9 2
 No. of Defs
 * 4
 JUVENILE

Barrow

76-CR-117 - 4

Yr. Docket No. Def.

U.S. TITLE/SECTION
 18:371

OFFENSES CHARGED
 Conspiracy
 (\$10,000 and/or 5 years)

ORIGINAL COUNTS
 I

U.S. MAG.
CASE NO.

BAIL • RELEASE

☐ AMT ☐ Fugitive
 Denied Set ☒ Pers. Recog.

\$ 000 conditions

Date 9-2-76
☐ 10% Deposit
☐ Surety Bond

☐ Bail Not Made ☐ Collateral
☐ Status Changed (See Docket) ☐ 3rd Prty Cust ☐ Other

II. KEY DATES & INTERVALS

ARREST or	INDICTMENT	ARRAIGNMENT	TRIAL	SENTENCE
U.S. Custody Began	High Risk Date	Information <input type="checkbox"/>	Trial Set For	Voir Dire <input type="checkbox"/>
Summons Served	Indict. Waived <input type="checkbox"/>	9-13-76	1st Plea	Disposition of Charges
9-4-76	Superseding <input type="checkbox"/>	9-13-76	<input checked="" type="checkbox"/> NG <input type="checkbox"/> G <input type="checkbox"/> NOL	DISMISSED
First Appearance	In Charging District	Final Plea	<input type="checkbox"/> G. Plea {W/Drawn	7-5-77
			<input type="checkbox"/> NG <input type="checkbox"/> G <input type="checkbox"/> NOL	<input type="checkbox"/> On All Charges
				<input type="checkbox"/> On Lesser * Offense(s)
				<input checked="" type="checkbox"/> Dismissed: <input type="checkbox"/> WOP: <input type="checkbox"/> WP
				<input type="checkbox"/> On Governm'ts Motion

MAGISTRATE		OUTCOME:
Search Warrant	Issued	<input type="checkbox"/> DISMISSED
	Return	<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT
Summons	Issued	<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW:
	Served	
Arrest Warrant Issued		
COMPLAINT		
OFFENSE (In Complaint)		

U.S. Attorney or Asst. Jack Cotton, David V.
 Thomas M. Atkinson Capes
 Special Attorney
 Department of Justice

ATTORNEYS

Defense: ☐ CJAX ☒ Ret: ☐ Waived, ☐ Self, ☐ None / Other: ☐ PD, ☐ CD

Richard B. McDermott & David McKinney
 NBT Bldg.

Tulsa 74103(583-1777)

* Show last names and suffix numbers of other defendants on same indictment/information.

Phillips Pet. (1); Learned (2); Martin (3).

DATE	(DOCUMENT NO.)	PROCEEDINGS	EXCLUDABLE DELAY (a) (b) (c) (d)
9-2-76		Record vote of grand jury, filed in open court. rm	
9-2-76		Indictment, filed in open court. Court Sets OR bond to attorney. (AEB-J)rm	
9-3-76		MO: Case set for arraignment and plea for Monday, 9/13/76 at 11 a.m. Def. granted 10 days to file motions; govt. 5 days thereafter to respond.(AEB-J)rm notices	
9-3		Summons & notices of arraignment, mld. this date cert. mail. v	
9-10		Acknowledgment of receipt of summons, filed. g	
9-13		Case called for arraignment. Deft. present & represented. Govt. represented. Deft. acknowledges receipt of indict; is advised of charge, is arraigned & enters plea of NOT GUILTY. O/R bond cont'd. Deft. allowed to travel w/no limitations, but is required to be present for all hrs., unless written statement is filed w/Ct. waiving appearance. Deft. makes oral motion for transcript of grand jury invest. Govt. given 30 days to respond. Parties are directed to report to conf. room for schedule to follow in filings of motions, etc.(AEB-J)b	

DATE		IV. PROCEEDINGS (continued)		PAGE TWO		V. EXCLUDABLE DELAY				For Identifying Periods of Excludable Delay Per 18 U.S.C. 3161(h)
1976		(DOCUMENT NO.)		Interval Section II (a)	Start Date End Date (b)	Ltr. Code (c)	Total Days (d)			
9-13	Order, filed, granting deft. 60 days, or until 11-12-76, to file PT mots. Govt. granted 40 days, or til 12-22-76 to respond. Deft. granted 20 days, or til 1-11-77 to reply. Govt. granted 10 days, or til 1-21-77 to respond. Trial set tentatively for 2-15-77. There shall be a PT conf. prior thereto as set by the Court. (AEB-J)k cps mld								A. Examination or hearing for mental or physical incapacity (18 U.S.C. 4244).	
9-20	Reporter's transcript of arraignment & conference proceedings had on 9-13-76, filed. (GRD-CSR)k								B. NARA Examination (28 U.S.C. 2902).	
9-30	Deft's motion for inspection and copying of grand jury minutes with brief in support attached, filed.s								C. State or Federal trials on other charges.	
11-3	Govt's response to defts' motion for inspection and copying of Grand Jury Minutes, filed. lm								D. Interlocutory Appeals.	
11-11	Stipulation, filed, that to the extent that it is necessary to refer to or quote from the sealed documents and proceedings referred to above (M-693 and M-695 which were held <u>in camera</u> , transcripts of which are under seal, and the filing of memoranda and affidavits which are under seal) in the pre-trial motions to be filed in this case or the responses, the portions of the sealed proceedings and documents quoted or referred to in said motions or responses may be unsealed and for that purpose alone. This stipulation is without prejudice to the rights or privileges of any part and without prejudice to any positions taken or arguments made during the course of the preliminary proceedings, filed.s (AEB-J) cps. mld.								E. Hearings on pretrial motions.	
11-12	Deft's Pre-trial motions, filed, w/Memorandum in support. (1) Motion to dismiss Indictment for abuse of Grand Jury process; (2) Motion to dismiss Ct. 1 for breach of agreement to prosecute; (3) Motion for Severance of Ct. 1; (4) Motion for Severance of Keeler for separate trial; (5) Motion for Bill of Particulars; (6) Motion for Discovery & inspection; & (7) Motion to leave to file add'l motion after discovery. b								F. Transfers from other districts (per F.R.Cr.P. Rules 20, 21 & 40).	
11-12	Reply to Govts. Response to Deft's Motion for inspection & copying of Grand Jury minutes, filed. b								G. Defendant Motion is actually under advisement. Period of up to 30 days is excludable per 3161(h) (1) (G).	
12-13	Govt's suggestionf for voir dire examination of Jury, filed. lm								H. Miscellaneous Proceedings: Probation or Parole revocation, Deportation, Extradition.	
12-13	Entry of appearance of David V. Capes as co-counsel for U.S.A., filed. lm								I. Prosecution deferred by mutual agreement.	
12-13	MO The Court grants the 12-2-76 letter request of the US Dept of Justice & permits a copy of the transcript of the 8-28-75 in camera hrg., case # M-693, w/ statement of costs therefor, to be forwarded to Mr. Thomas M. Atkinson for use of the prosecution in case no. 76-CR-117-B. (AEB-J)k cps mld								M. Unavailability of defendant or essential witness.	
									N. Period of mental or physical incompetence of defendant to stand trial.	
									O. Period of NARA Commitment or Treatment.	
									P. Superseding indictment and/or new charges.	
									R. Defendant awaiting trial of Co-defendant when no severance has been granted.	
									T. Continuances Granted per 3161(h) (8) (i.e. ends of justice or complexity of case outweighs defendants' interests).	
									U. Time between guilty plea and plea withdrawal.	
									W. Grand Jury indictment extended per 3161 (b).	

FINE AND RESTITUTION PAYMENTS					
DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

KEELER, William W.
1118 S. Dewey
Bartlesville 74003

Barrow

76-CR-117 - 4

Yr. | Docket No. | Def.

DATE 1976	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
12-14	Proposed voir dire questions submitted by deft. William W. Keeler, filed.s				
12-22	Govt's R eply & Points & Authorities to Pre-trial motions of all defts to Dismiss Ct. 1 of Indictment because prosecution thereon would breach the agreement reached between Phillips, Keeler & the U.S., filed. b cpy to Dene				
12-22	Govt's Reply to motions of Defts to Dismiss Indictment for Abuse of the Grand Jury & Process of the Court, filed. b copy to Dene				
12-22	Govt's R eply to Pretrial motions of Deft. Keeler, filed. b cpy to Dene				
12-23	MO: Case set for PT conf. on 1-5-77 at 10:00 a.m.				
	(AEB-J)k ntc by cert ml				
1-5-77	Case called for pre-trial conf. Deft. present & rep. Govt. rep. Williams makes statement all defts' have signed affidavit waiving speedy trial. Upon recommendation by Williams & no objs. made Ct. set hearing on motions & evidentiary hrg. on 2-15-77, at 10:00 A.M. Trial date set on 5-3-77, at 9:30 A.M. Parties to meet in conf. room on 1-12-77, 10:00 A.M. to work on stipulations & report to Ct. any matters that cannot be agreed on. Govt. to have prepared Orders re: new tax law reforms & re: harassment. Parties who wish may file briefs w/case law as to promises made by Spec. pros. to Keeler. Parties to furnish Ct. w/min. & max. amt. of taxes they feel are due. Govt. reports they are in process of preparing Washington Grand Jury testimony of Keeler to present to Deft. Co. Hrg. concluded. (AEB-J)b				
1-5-77	Affidavit waiving speedy trial, filed. b				
1-12	Memo. in reply to the Govt.'s response to the pretrial mots. of William W. Keeler, fld. v -cpy to Dene.				
1-18	Order, fld., that the mot. to dismiss for defective Indictment is overruled. Further ordered that the mot. requesting material secured by electronic surveillance is overruled. Further ordered that the Govt. turn over to any of the defts. evidence and information contained in their files which may be exculpatory and favorable in nature as to each deft. All other mots. are pending. (AEB-J)v -cps. mld.				
1-24	Govt's response to replies of all defts. in support of their Pre-Trial motions, filed.s				
1-24	Appendix I, in support of Govt's response to replies filed.s				
1-24	Appendix II, in support of Govt's response to replies, filed.s				
1-24	After attorneys conference held, report made to Ct. Defts' w/draw motion of Bill of Particulars. Upon agreement of parties E.B. Williams to prepare Order for release of G.J. test. except that of Gillett. Attys allowed til 2-15-77 to make further report to Ct. on pending matters. (AEB-J)b				
1-24	Order, filed, permitting Government's release of "return information". (AEB-J)b cpy by Govt.				
1-25	Order, fld., that Govt. shall produce for inspect. & copying the transcripts of witnesses who appeared before the Gr. Jury, w/except. of IRS Sp. Agent John Gillette. Further ordered that Defts. are allowed				
AO-257	to w/drawal their requests for bills of particular. (AEB-J)v -cps. mld.				

Interval Start Date End Date Ltr. Total Code Days

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
	(Document No.)				
1-27	Per Govt's ltr. attachments filed, to be added to Appendix I, Part D of response filed 1-24-77. b				
2-14	Govt's Memo. in Response to the Court's Request for a "Brief" Concerning the Applic. of Santobello v. New York to alleged promises made to Phillips & Keeler by the Watergate Special Prosecutor, filed. b cps by Govt.				
2-15	Case called for hearing on motions. Defts' Learned & Keeler pres. Deft. co. presents waiver of appearance of Martin. All defts rep. Govt. rep. Defts' motion to dismiss indict. for abuse of G.J. process heard. Deft. Co. Williams makes arguments. Govt. responds. Govt. presents letter to Ct. for in camera inspection & determination if it's necessary for Defts to have. Williams & McDermott object unless they are furnished copy. Ct. takes ltr under advisement. Parties stipulate to fact IRS agents were allowed to read G.J. Minutes. Witnesses recognized back on 2-16-77. Ct. recessed, to reconvene on 2-16-77, at 10:00 A.M. (AEB-J)b				
2-15	Waiver of appearance of Wm. F. Martin, filed.b				
2-16	Hearing continued to motion to dismiss indict. for abuse of G.J. process. Defts' Keeler & Learned present. All defts' rep. Govt. rep. Letter which was presented to Ct. for inspection is ordered sealed by Court & placed in vault. Williams continues w/further arguments & parties stipulate as to meaning of open ended grand jury. Mr. Cotton makes further response. Defts exhibits 1 thru 8 offered & admitted. Ct. recessed to reconvene on 2-17-77, at 10:00 A.M. (AEB-J)b				
2-16	Defts exhibits, filed. b				
2-17	Copy of transcript of proceedings had on 2-15-77, filed. (GRD-CSR) b				
2-17	Govt's response to the Court's concern about the "Akright Testimony" with RESpect to Defts motion to dismiss Ct. 17A for abuse of the Grand Jury, filed. b				
2-17	Govt's Response to Questions posed by the Court with Respect to defts motion to dismiss Ct. 17A for abuse of the Grand Jury, filed. b				
2-17	Continued hearing on motions. Defts Keeler & Learned present. All defts rep. Govt. rep. Hearing held on motion to dismiss Ct. 1 of indict. for breach of agreement not to prosecute. Govt. has no object. to defts having copy of ltr. of 4-15-75, from Office of Chief Co., IRS, Wash.D.C., but request deletion of 1st sent., 2nd para. of Pg. 8, but request ltr be kept sealed. Ct. allows. Mr. Williams makes arguments & witness Thomas D. Finney, Jr., sworn & testifies. Corss exmin. by Mr. Cotton. Examin. concluded. Deft's ex. 9 admitted. Govt's exhibits A-1 thru D-2 admitted. Ct. recessed to conf. room. Defts' given 10 days to respond to Govt's response to Akright Test. Ct. grants parties 30 days from 2-18-77 (3-21-77) to file Pros. Findings & Conclusions on both motions, separately. Ct. recessed to reconvene on 2-18-77, at 10:00 A.M. (AEB-J)b				
2-18	Continued hearing on motions. Defts Keeler & Learned present. All defts rep. Govt. rep. Govt. witnesses Roger M. Witten, James Quarles & Thomas F. McBride sworn & testify. Rule invoked. Hearings concluded. Defts exhibits 10 thru 18 admitted. Govt. exhibits 1 thru 5 & D-3 admitted. (AEB-J)b				
2-18	Exhibits, filed. b				

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

KEELER, William W.
1118 S. Dewey
Bartlesville OK. 74003

76-CR-117 - 4

Yr. | Docket No. | Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1977	(Document No.)				
2-22	Reporter's transcript of proceedings had on 2-15-77 motions hearings. (GRD-CSR) ho				
2-22	Reporter's transcript of proceedings had on 2-16-77 motions hearings. (GRD-CSR) ho				
2-22	Reporter's transcript of proceedings had on 2-17-77 motions hearings. (GRD-CSR) ho				
2-22	Reporter's transcript of proceedings had on 2-18-77 motions hearings. (GRD-CSR) ho				
2-28	Defts' reply to Gov't response regarding the "Akright Testimony". fld ho				
2-28	Deft's response to questions posed by the ct with respect to mot to dismiss the indictment for abuse of the grand jury. fld ho				
3-17	Order, filed, sustaining Deft's motion in that Govt. is required to produce for deft's use & inspection that part of testimony of John K. Gillette, II occurring before G.J. 9-2-76, comm. at line 1, Pg. 39 & continuing thru line 4, Pg. 42 of transcript; & at this time overrules motion for any other part. (AEB-J)b cps mld				
3-22	Transcript of Feb. 12, 1976 proceedings before the Grand Jury, filed of record pursuant to the Court's request and not to be made part of the public record. fld. ho				
4-5	MO: It is ordered by the Court that jury trial is stricken from docket of 5-3-77, to be re-set. (AEB-J)b nts mld				
4-13	Order, filed, that the motion to dismiss the Indictment for abuse of grand jury & process of the Court be & It is hereby deferred for determination at the trial of the general issue. (AEB-J)b cps mld				
4-13	Order, filed, that the motion to dismiss Count 1 for breach of agreement be & it is hereby deferred for determination at the trial of the general issue or until after verdict. (AEB-J)b cps mld				
4-14	MO: Case set for pre-trial conf. on 5-11-77, at 10:00 A.M. (AEB-J)b nts mld				
4-28	Deft's motion for reconsideration of Court Orders of 4-13-77 and brief in support, filed. k cpy to Dene				
5-10	Govt. response to Defts. mot. to reconsider. fld. ho cpy to Dene by Atty.				
5-11	Case called for pre-trial conference. Defts. present & rep. Govt. rep. Williams, speaking for all defts. makes arguments on motion to reconsider motions to dismiss. Cotton makes arguments for Govt. Ct. gives parties until June 1 to furnish extracts from Grand Jury transcript & to exchange extracts. Both parties given until June 10, 1977 to file their interpretation of transcripts. Ct. will make ruling by mid-June. Hearing concluded. (AEB-J)b				
5-13	Reporters transcript of proceedings had on 5-11-77, PT conference. fld. ho				
6-6	Govt. mot. for additional time to file its brief. fld. cpy. & 0 to Dene by atty. ho				
6-6	Govt. mot. pursuant to rule 6(e), F.R.Cr.P., for disclosure of grand jury testimony. cpy. & 0 to Dene by atty. fld. ho				

76-CR-117- Wm. W. Keeler
UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
6-6	(Document No.) Order, filed, granting parties 7 days from 6/10/77 to file briefs requested by Court at PT conf. on 5-11-77. (AEB-J)g cp mld.				
6-6	Order, filed, permitting T. M. Atkinson, atty for Govt. to provide Phillips Petr. Co. a copy of the 9/2/76 proceedings, and to any other party to this action upon request. (AEB-J)g cp mld.				
6-16	Motion of Defts' to place documents under seal & for continuance of protective order, filed.b SEALED BY ORDER OF THE COURT				
6-16	Order, filed. (AEB-J)b SEALED BY ORDER OF THE COURT				
7-5	Findings of Fact & Conclusions of Law in respect to Defts' motion to dismiss Ct..1 of indictment, filed. (AEB-J)b c ps mld				
7-5	Order, filed, sustaining Defts' motion & dismissing Ct. 1 of the Indictment, filed. (AEB-J)b cps mld				
7-5	Findings of Fact & Conclusions of Law in respect to defts' motion to dismiss Indictment for Abuse of the Grand Jury, filed. (AEB-J)b cps mld				
7-5	Order, filed, sustaining Defts' motion & dismissing Indictment, filed. (AEB-J)b cps mld				
8-3	Notice of appeal by govt. from orders of 7/5/77, filed. rm - copies to counsel, USCA, Judge & ct. reporter				
9-1	Withdrawal of Appeal, filed. b cp to Circuit				